

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN**

LAWRENCE CHICHILA and
PAMELA CHICHILA,

Plaintiffs,

vs.

No. 2:17-cv-12494-RHC-RSW

BAXTER HEALTHCARE CORPORATION,
a foreign corporation, and BAXTER
INTERNATIONAL INC., a foreign
corporation,

Defendants.

ORDER

AND NOW, on this August 2, 2018, **IT IS HEREBY ORDERED THAT** the Parties' Joint Motion for Extension of Scheduling Order Deadlines is **GRANTED. IT IS FURTHER ORDERED THAT** the February 22, 2018 Scheduling Order is modified as follows:

1. The deadline for completing (not simply scheduling) court-supervised discovery is **January 31, 2019** and the Fact Discovery deadline is **December 14, 2018**.
2. Each party must deliver a **final witness list**, to the opposing party and file a copy with the Court on or before **January 17, 2019**.

3. The report of a proposed expert witness for Plaintiffs must be provided to opposing counsel **not later than fifty-six days (eight weeks) before the end of discovery**. Plaintiffs' expert must be available and prepared for deposition within **fourteen days** after the expert report is provided (i.e., not later than six weeks before the end of discovery).
4. The report of any proposed expert witness for Defendants must be provided to opposing counsel **not later than twenty-eight days (four weeks) before the end of discovery**. Defendants' expert must be available and prepared for deposition within **fourteen days** after the date the expert report is provided (i.e., not later than two weeks before the end of discovery).
5. The deadline for filing pretrial motions requiring extensive briefing and consideration (including motions under Rule 56 and those challenging a purported expert under *Daubert v. Merrell Dow Pharms., Inc.*, 509 U.S. 579 (1993)) is **March 4, 2019**.
6. Motions in limine must be filed on or before **July 8, 2019**.
7. Plaintiff's counsel shall lodge with the Judge's Chambers a unified set of stipulated proposed jury instructions no later than **July 8, 2019**.
8. Plaintiff's counsel must submit a proposed joint final pretrial order pursuant to Local Rule 16.2 to Chambers on **July 8, 2019**.

9. The Court will conduct a Final Pretrial and Settlement Conference under the provisions of Fed. R. Civ. P. 16(d) on **July 15, 2019, at 2:00 p.m.**

10. This case is assigned for trial on **July 29, 2019 at 9:00 am.**

11. Counsel for Plaintiffs is ordered by **July 8, 2019:**

- a. To file a list of exhibits, the admissibility of which is stipulated to by both parties, and a list of the depositions similarly stipulated to, and
- b. To lodge with judge's chambers an electronic copy of the exhibits.

12. Counsel for Plaintiffs and for Defendants each are ordered by **July 8, 2019** to file:

- a. A trial brief, and
- b. A list of that party's *proposed* exhibits, the admissibility of which has been objected by the opposing party, and the reason (supplied by opposing counsel) for the objection, and
- c. Proposed findings of fact and proposed conclusions of law if there are any issues to be decided by the Court alone.

13. The other requirements set forth in the Court's February 22, 2018 Scheduling Order (ECF No. 16) remain in effect

S/Robert H. Cleland
ROBERT H. CLELAND
UNITED STATES DISTRICT JUDGE

Dated: August 2, 2018

I hereby certify that a copy of the foregoing document was mailed to counsel of record and/or pro se parties on this date, August 2, 2018, by electronic and/or ordinary mail.

S/Lisa Wagner
Case Manager and Deputy Clerk
(810) 292-6522